

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

IN RE:

Bell Keliane
Landa Biden

Debtor(s)

Case No.: 18-08784
Chapter: 13
Plan filed on 03/27/2018
Confirmation Hearing: 5/17/18
Judge Timothy A. Barnes

OBJECTION TO CONFIRMATION OF PLAN FILED ON 03/27/2018

NOW COMES PACIFIC UNION FINANCIAL, LLC , and/or its assigns (hereinafter “Movant”), by and through its attorneys, Codilis & Associates, P.C., and moves this Honorable Court for an Order denying confirmation of Debtor’s plan filed on 03/27/2018 and in support thereof states as follows:

1. Debtor filed a petition under Chapter 13 of Title 11, United States Bankruptcy Code on 3/27/18 and this Court has jurisdiction pursuant to 28 U.S.C. §1334 and Internal Operating Procedure 15(a) of the United States District Court for the Northern District of Illinois;

2. Movant intends to file a claim secured by an interest in the real property commonly known as 5420 Harvard Terrace, Skokie, IL and that the Chapter 13 plan herein proposes that Debtor cure the pre-petition arrearage claim through the Chapter 13 Trustee while maintaining current, post-petition mortgage payments;

3. That although Movant intends to file a proof of claim indicating an estimated pre-petition arrearage in the amount of \$11,533.16, the proposed plan provides for payment of only \$.00 in contradiction of Movant’s rights under 11 U.S.C. §1322(b)(2) and/or §1322(b)(5);

4. That the proposed plan specifies the amount of the monthly current mortgage payment to be made by the debtor as \$2,135.00;

5. That the correct payment amount pursuant to the contract is \$2,818.18 and said amount may change from time to time due to escrow analysis or for other reasons;

6. That a confirmed plan might have the effect of binding Movant as a party to the bankruptcy to accept \$2,135.00 a month each month for the pendency of the bankruptcy in contradiction of its rights under the mortgage and 11 U.S.C. §1322;

7. That sufficient grounds exist for denial of confirmation as Debtor's plan:
- a. Fails to cure Movant's pre-petition arrearage claim amount in full;
 - b. Fails to provide for correct post-petition mortgage payment.

8. Movant has incurred attorney fees and/or costs in connection with this bankruptcy proceeding subject to court approval, including:

\$500.00 for Objection to confirmation of the Chapter 13 plan
including plan review and attending confirmation, if not separately
billed

WHEREFORE, PACIFIC UNION FINANCIAL, LLC prays this Court deny confirmation of the plan allowing the fees and costs described herein to be added to the indebtedness pursuant to the terms of the note and mortgage, and for such other and further relief as this Court may deem just and proper.

Dated this 5/2/2018

Respectfully Submitted,
Codilis & Associates, P.C.

By: /s/ Peter C. Bastianen
Berton J. Maley ARDC#6209399
Rachael A. Stokas ARDC#6276349
Gloria C. Tsotsos ARDC#6274279
Jose G. Moreno ARDC#6229900
Peter C. Bastianen ARDC#6244346
Joel P. Fonferko ARDC#6276490
Codilis & Associates, P.C.
15W030 North Frontage Road, Suite 100
Burr Ridge, IL 60527
(630) 794-5300
C&A FILE (14-18-04090)